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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,168	03/10/2000	Anthony C. Fascenda	1753.0050000/JRK/AJF	4398

7590 07/03/2002

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EXAMINER

COBY, FRANTZ

ART UNIT	PAPER NUMBER
2171	8

DATE MAILED: 07/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/523,168	Applicant(s) Fascenda	Examiner Frantz Coby	Art Unit 2171
			

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Mar 10, 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-28 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 & 7
- 4) Interview Summary (PTO-413) Paper No(s). _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other:

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This is in response to application filed on March 10, 2000 in which claims 1-28 are presented for examination.

Claims Status:

Claims 1-28 are pending.

Information Disclosure Statement

1. The information disclosure statement filed on October 13, 2000 and on September 20, 2001 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, and the information referred to therein has been considered as to the merits.

Claim Objections

2. Claims 1-3, 5, 8 are objected to because of the following informalities: Claims 1-3, 5 recite "step c" and claim 8 recites "step a". Steps are not appropriate claimed language. Only what is referring by the "step c" and "step a" should be set forth . Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Lenz U. S. Patent no. 6,029,196.

As per claim 1, Lenz discloses “a client server including one or more client devices each associated with a unique client identifier and having a client template database for storing one or more templates defining a configuration of the client device, and a server having a server template database” (see Lenz Figure 1). In particular, Lenz discloses a method of configuring the client device (See Lenz Abstract). Also, Lenz discloses the claimed limitation “receiving a client request including a template identifier from a client device” (See Lenz Col. 1, lines 64-66). Further, Lenz discloses retrieving a template corresponding to said template identifier from the server template database; determining whether the client device requires a template update using said template identifier and said retrieved template and sending a server response including

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template update information when the client device requires said template update” (See Lenz Col. 1, line 50-col. 2, line 22; col. 3, lines 2-39).

As per claim 2, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant’s attention is directed to the rejection of claim 1 above. In addition, Lenz discloses the claimed features “client template version identifier” (See Lenz Col. 4, lines 59-64); and “comparing said client template version identifier to a template version identifier associated with said retrieved template” (See Lenz Abstract).

As per claim 3, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant’s attention is directed to the rejection of claim 1 above. In addition, Lenz discloses the claimed feature “sending a server response to the client device” (See Lenz Col. 3, lines 22-25).

As per claims 4-6, most of the limitations of these claims have been noted in the rejection of claim 1. Applicant’s attention is directed to the rejection of claim 1 above. In addition, Lenz discloses the claimed features “template includes one or more data fields”; “collecting service related information relating to said one or more data fields”; “composing said server response to said request based on said service related information”; “detecting predetermined command”; “sending said retrieve template to a said client device” “said retrieved template is used to

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reconfigure the client device” (See Lenz Col. 2, lines 12-22; Col. 3, lines 2-48; col. 5, line 17-Col. 6, line 10).

As per claim 7, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant’s attention is directed to the rejection of claim 1 above. In addition, Lenz discloses the claimed feature “updating a template corresponding to said template identifier in the template database with said template update information when said server response includes said template update information” (See Lenz Col. 5, lines 34-61).

As per claim 8, most of the limitations of this claim have been noted in the rejection of claim 7. Applicant’s attention is directed to the rejection of claim 7 above. In addition, Lenz discloses the claimed feature “command in said client request” (See Lenz Col. 3, lines 6-9).

As per claim 9, most of the limitations of this claim have been noted in the rejection of claim 8. Applicant’s attention is directed to the rejection of claim 8 above. In addition, Lenz discloses the claimed feature “a user interface adapted to receive user requests” as a Common Gateway Interface (See Lenz Col. 3, lines 26-28).

As per claims 10-11, most of the limitations of this claim have been noted in the rejection of claim 7. Applicant’s attention is directed to the rejection of claim 7 above. In addition, Lenz’s

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client server system inherently include a display on the client device. Since the server returns response to the client and the system of Lenz includes a Common Gateway Interface, these features inherently requires a display on the client device in other for the client to view information returned by the server.

As per claim 12, most of the limitations of this claim have been noted in the rejection of claim 7. Applicant's attention is directed to the rejection of claim 7 above. In addition, Lenz discloses the claimed features "client template version identifier" (See Lenz Col. 4, lines 59-64).

As per claim 13, most of the limitations of this claim have been noted in the rejection of claim 7. Applicant's attention is directed to the rejection of claim 7 above. In addition, Lenz discloses the claimed features "reconfiguring the client device with said template update information" (See Lenz Abstract).

As per claim 14, Lenz discloses a client apparatus (102) for communicating with a server (103) via a communication system . In particular, Lenz discloses "a client template database for storing templates defining a configuration of the client apparatus; a transmitter that sends a client request to the server; a receiver that receives a server response form the server, the server response including a template identifier; and a client controller that determines whether said server response includes template update information, wherein said client controller updates a template,

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corresponding to said template identifier, in said client template database with said template update information when said server response includes said template update information" (See Lenz col. 3, line 2-col. 5, line 61).

As per claim 15, most of the limitations of this claim have been noted in the rejection of claim 14. Applicant's attention is directed to the rejection of claim 14 above. In addition, Lenz discloses the claimed feature "a template identifier and a predetermined command" (See Lenz Col. 3, lines 6-9).

As per claim 16 , most of the limitations of this claim have been noted in the rejection of claim 14. Applicant's attention is directed to the rejection of claim 14 above. In addition, Lenz discloses the claimed feature "a user interface adapted to receive user requests" as a Common Gateway Interface (See Lenz Col. 3, lines 26-28).

As per claims 17-19, most of the limitations of these claims have been noted in the rejection of claim 7. Applicant's attention is directed to the rejection of claim 7 above. In addition, Lenz's client server system inherently include a display on the client device. Since the server returns response to the client and the system of Lenz includes a Common Gateway Interface, these features inherently requires a display on the client device in other for the client to view information returned by the server.

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As per claim 20, most of the limitations of this claim have been noted in the rejection of claim 14. Applicant's attention is directed to the rejection of claim 14 above. In addition, Lenz discloses the claimed features "reconfiguring the client apparatus" (See Lenz Abstract).

As per claim 21-28, all the limitations of these claims have been noted in the rejection of claims 1-20. They are therefore rejected as set forth above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is (703) 305-4006. The examiner can normally be reached Monday through Friday from 9:30 A.M. to 5:00 P.M.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. The Fax phone numbers for this

Group are: **After-final** **(703) 746-7238**

Official **(703) 746-7239**

Non-Official/Draft **(703) 746-7240**


FRANTZ COBY
PRIMARY EXAMINER

June 27, 2002